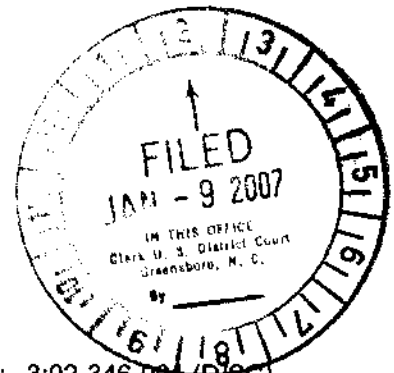


**UNITED STATES DISTRICT COURT**  
**for the**  
**Middle District of North Carolina**

**Report of Offender Under Supervision**



Name of Offender: KEVIN EUGENE DANIEL

Case Number: 3:02-346-001 (D/SC)  
1:04CR5-1 (MD/NC)

Name of Sentencing Judicial Officer: The Honorable Cameron M. Currie

Date of Original Sentence: September 13, 2002

Original Offense: Unlawful Use of an Access Device in violation of U.S.C. § 1029(a)(2) .

Original Sentence: 18 months custody of the Bureau of Prisons, followed by three years of supervised release.

January 15, 2004: Jurisdiction was transferred from the District of South Carolina by the Honorable Cameron M. Currie to the Middle district of North Carolina, accepted by the Honorable N. Carlton Tilley, Jr.

April 7, 2005: Supervised release was revoked and Mr. Daniel was committed to the Bureau of Prisons for nine months, followed by 26 months supervised release.

Type of Supervision: Supervised  
Release

Second Term of Supervision Commenced: November 10, 2005  
Second Term of Supervision Expires: January 9, 2008

Assistant U.S. Attorney: Eric Wm. Ruschky

Defense Attorney: Allen B. Burnside

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**NONCOMPLIANCE SUMMARY**

The offender has not complied with the following condition(s) of supervision:

**CONDITION VIOLATED**

**NATURE OF NONCOMPLIANCE**

Restitution in the amount of \$18,488.40 shall be paid in installments at the rate of \$100.00 per month beginning 60 days after release.

Mr. Daniel failed to make monthly restitution payments as instructed by the Court. Mr. Daniel has paid a total of \$225.00 during his second term of supervision and he has a remaining restitution balance of \$18,263.40.

U. S. Probation Officer Action:

Since his release to a second term of supervision, Mr. Daniel has failed to maintain his restitution payments on a regular basis. He has paid a total of \$225.00 and is currently in arrears in the amount of \$975.00. He has otherwise had a satisfactory adjustment. He has maintained consecutive clean urinalysis screens and criminal record checks have shown no new criminal activity.

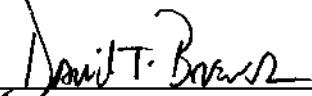
Mr. Daniel is now employed with Patrick Industries located in Albemarle, North Carolina. He earns a salary of \$11.54 per hour as a machine operator. He currently resides with his wife, who is a student and unemployed, and son at 409 Church Street, Albemarle, NC.

Mr. Daniel has voluntarily agreed to garnishment of his wages at the rate of \$100.00 per month. On October 31, 2006, the Court approved the Consent Motion for Order of Garnishment filed October 16, 2006. Mr. Daniel's first garnished payment of \$25.00 was received in the clerk's office on December 18, 2006.


**RECOMMENDATION**

The probation office recommends no further action at this time. We will continue to monitor the payments and advise the Court accordingly. The probation officer will also notify the Court should future violations occur.

Respectfully submitted.


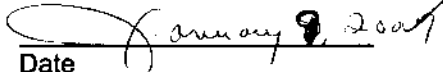
  
\_\_\_\_\_  
David T. Brewer  
U.S. Probation Officer

Approved by:

  
\_\_\_\_\_  
Desdemona L. Faison  
Supervising U.S. Probation Officer

12/22/06  
\_\_\_\_\_  
Date

- ☒ The Court Adopts the Recommendation(s) of the Probation Officer  
☐ Submit a Request for Modifying the Conditions or Term of Supervision  
☐ Submit a Request for Warrant or Summons  
☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer  
  
\_\_\_\_\_  
Date